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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,969	03/02/2004	Rory Smith	1116109-0028	3691

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FROST BROWN TODD, LLC
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CINCINNATI, OH 45202

EXAMINER

SALATA, ANTHONY J

ART UNIT	PAPER NUMBER
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2837

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/791,969

Applicant(s)

SMITH ET AL.

Examiner

Jonathan Salata

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-42 and 44-46 is/are rejected.
- 7) ☒ Claim(s) 43 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7-26-04</u> | 6) <input type="checkbox"/> Other: ____ |

Art Unit: 2837



UNITED STATES DEPARTMENT OF COMMERCE
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Washington, D.C. 20231

Paper No:20070131

Application No: 10/791969

Filing Date: March 2,2004

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. It should be brief but technically accurate and descriptive, preferably from two to seven words. See 37 CFR 1.72(a).

2. The Abstract of the Disclosure is objected to because line 5, "comprises", must be deleted. Correction is required. See M.P.E.P. § 608.01(b).

Applicant is reminded of the proper language and format of an Abstract of the Disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said", should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the rf signals, solar energy conversion device, elec/mech

Art Unit: 2837

conversion device in the door, hall lamp, position indicator, sound device, push button, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3,6-13,16-22,25,29-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herkel et al (6173814) and Gozzo et al (6467585).

Herkel et al teaches in figures 1-4, an elevator safety system. A controller 20,40 and hoistway 70 with doors 1-3 of elevator cabs utilizes nodes 91-96 and transmission bus 4 to send both command data and safety sensors, contacts and switches 31-33,61-63... data to the elevator control 40.

Art Unit: 2837

Herkel et al does not illustrate transceivers per se.

Gozzo et al teaches that for improved safety chain response and location of specific failure as well as improved installation without wiring, it is advantageous to provide transeivers 12,22,24,26,30,32 to relay both control and safety chain data to a controller instead of the wiring as illustrated in Herkel et al which is incorporated by reference.

Figure 2 illustrates a grouped system and Gozzo et al states that any analog, digital, spread spectrum or other wireless system can be utilized.

Thus, to utilize transceivers and a wireless data transmission would have been an obvious engineering design choice to one of ordinary skill in the art to improve safety chain data and utilize less wiring.

6. Claims 4,14,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herkel et al and Gozzo et al as applied to claims 1-3,5-13,16-22,25,29-39 above, and further in view of Ayano et al (2004/0026177).

Herkel et al and Gozzo et al do not illustrate inductive data transmission but do state that any type of wireless transmission can be utilized.

Ayano et al teaches that for improved data transmission without additional wiring, inductive data transmission can be utilized. As illustrated, sensors 15 and receivers 14 are placed on the cabs and main bus 6.

Thus, to utilize an inductive type data transmission would have been an obvious engineering design choice to one of ordinary skill in the art in order to utilize less wiring.

7. Claims 5,15,24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herkel et al and Gozzo et al as applied to claims 1-3,6-13,15-22,25,29-39 above, and further in view of Schwan (5892411).

Art Unit: 2837

Herkel et al and Gozzo et al do not illustrate capacitive coupling but do state that any type of wireless transmission can be utilized.

Schwan et al teaches that the use of capacitive coupling for data transmission is known within the use of elevators.

Thus, to utilize a known wireless data transmission which is stated that any type may be used, would have been an obvious engineering design choice to one of ordinary skill in the art.

8. Claims 26-28,40,41,42,44-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herkel et al and Gozzo et al as applied to claims 1-3,6-13,16-22,24,25,29-39 above, and further in view of Schuster (6412604).

Herkel et al and Gozzo do not illustrate the power supply system for the hall units.

Schuster teaches that for ease of charging hall units in a wireless environment, a contactless type power transmission may be utilized. The transmission may be inductive, capacitive or even solar.

Thus, to utilize the charging of Schuster would have been an obvious engineering design choice to one of ordinary skill in the art to improve the ease of charging by using a contactless system.

9. Claim 43 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The electro-mechanical system within the door for the power supply is not taught or reasonably suggested by the cited art of record.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Motoyama, Zepke et al and Bacellar et al are cited to illustrate similar elevator data/power transmission systems.

A shortened statutory period for response to this action is set to expire 3 months from the date of this letter.

Art Unit: 2837

Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Any inquiry of a **general nature** should be directed to the **Group receptionist** whose **telephone number is (571) 272-2800**.

Information regarding the STATUS of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PARI. Status information for unpublished applications is available through Private PAIR ONLY. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Any questions on access to PAIR, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Papers related to this application may be submitted to Group 2800 by facsimile transmission. Papers should be faxed to Group 2800 via the PTO 2800 Fax Center. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15, 1989). The Fax Center number is (571) 273-8300.

For assistance in **Patent procedure, fees or general Patent questions** calls should be directed to the **Inventors Assistance Center (IAC)** whose **telephone number is 800-PTO-9199 or 800-786-9199**. Assistance is also available on the Internet at www.uspto.gov.

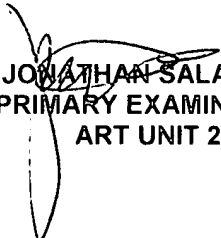
For requesting copies of Cited Art, Office Actions or the like, response to Status Letters, lost papers or files or General Problem solving, calls should be directed to the TC 2800 Customer Service Office whose telephone number is 571-272-2800 or by fax at 571-273-8300.

Any inquiry concerning **this communication or earlier communications from the examiner** should be directed to **Jonathan Salata** whose **telephone number is (571) 272-2073**. The examiner does not have as detailed access as the previously listed numbers with regard to status or general problem solving. The examiner can normally be reached on Monday through Thursday from 7:30 am to 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan, can be reached on (571) 272-2800 ext 27.

ajs

January 31, 2007


**JONATHAN SALATA
PRIMARY EXAMINER
ART UNIT 2837**